

MINUTES
HUNTINGTON BEACH OFFICE OF THE ZONING ADMINISTRATOR
Room B-8 - Civic Center
2000 Main Street
Huntington Beach California

WEDNESDAY, SEPTEMBER 19, 2007 - 1:30 P.M.

ZONING ADMINISTRATOR: Mary Beth Broeren

STAFF MEMBER: Andrew Gonzales, Rami Talleh, Pamela Avila (recording secretary)

MINUTES: **NONE**

ORAL COMMUNICATION: **NONE**

ITEM 1: COASTAL DEVELOPMENT PERMIT NO 07-006; ADMINISTRATIVE PERMIT NO. 07-010 (ANDERSON RESIDENCE)

APPLICANT: Suzan Beck, 2921 Carob Street, Newport Beach, CA 92660
PROPERTY OWNER: Poul C. Anderson, 8181 Kingfisher Drive, Huntington Beach, CA 92646
REQUEST: To permit the demolition of an existing single-family dwelling and construction of an approximately 3,039 sq. ft., two-story, single-family dwelling with an approximately 638 sq. ft. attached accessory dwelling unit (second unit). The request includes a review and analysis for compliance with the Infill Lot Ordinance. The Infill Lot Ordinance encourages adjacent property owners to review proposed development for compatibility/privacy issues, such as window alignments, building pad height, and floor plan layout.
LOCATION: 22042 Surfrider Lane, 92646 (southeast corner of Surfrider Lane and Playa Drive)
PROJECT PLANNER: Andrew Gonzales

Andrew Gonzales, Assistant Planner, displayed project plans and photographs and stated the purpose, location, zoning, and existing use of the requested project. Staff presented an overview of the proposed project and the suggested findings and conditions of approval as presented in the executive summary.

Staff stated that the project is subject to a Coastal Development Permit because the project includes an accessory dwelling unit. The Huntington Beach Zoning and Subdivision Ordinance (HBZSO) states that accessory dwelling units are allowed with approval of an Administrative Permit, which is a discretionary permit, thus requiring approval of a Coastal Development Permit for this project.

Staff did not receive any letters in support or opposition of the proposed project. Staff spoke to two property owners, one directly behind and one adjacent to the property. Neither neighbor expressed any concerns.

Staff recommended approval of the request based upon the suggested findings and subject to the suggested conditions as presented in the executive summary.

Mary Beth Broeren, Zoning Administrator, engaged in discussion with Staff regarding specifics of the second unit. Staff stated that the unit which has access from the northeast portion of the property, is above the garage and is concealed from public view. The door faces the rear of the property and is located within a covered stairwell.

THE PUBLIC HEARING WAS OPENED.

Mr. Glen Woods, neighbor, asked Ms. Broeren if the second dwelling unit is on the first or second floor of the property. Staff clarified that the garage is attached to the main dwelling and the accessory unit is on the second floor above the garage.

Ms. Cynthia Mast, neighbor from across the street, stated that her concern was proliferation of rental units in the neighborhood if this permit were approved. Ms. Boeren clarified that approval of this project does not change the fundamental zoning of the property in the area. The city is required by State Law to allow second units on properties that meet certain requirements, such as minimum lot size and maximum floor area.

Janet Woods, another neighbor, stated that the neighbors were confused by the wording of the notice. However, they understood the project clearly after staff's explanation.

THERE WERE NO OTHER PERSONS PRESENT TO SPEAK FOR OR AGAINST THE REQUEST AND THE PUBLIC HEARING WAS CLOSED.

The Zoning Administrator engaged in discussion with Staff regarding an extra open parking space designed for the accessory unit. Staff stated that one additional parking space will be provided onsite. Staff added that the parking space could not be located in front of the garage opening. Staff also stated that access had to be provided to the unit.

Ms. Jean Fleming asked for clarification of what "access" meant. Ms. Broeren reminded her that the public hearing was closed but she would entertain the question. Ms. Broeren stated that the discussion was not access in general, but access to the unit.

Ms. Broeren approved the suggested findings and conditions as follows:

CONDITIONAL USE PERMIT NO. 2007-006/ADMINISTRATIVE PERMIT NO. 07-010 WAS APPROVED BY THE ZONING ADMINISTRATOR WITH THE FOLLOWING FINDINGS AND CONDITIONS OF APPROVAL. THE ZONING ADMINISTRATOR STATED THAT THE ACTION TAKEN BY THE ZONING ADMINISTRATOR CAN BE APPEALED TO THE PLANNING COMMISSION WITHIN TEN (10) WORKING DAYS.

FINDINGS FOR PROJECTS EXEMPT FROM CEQA:

The Zoning Administrator finds that the project will not have any significant effect on the environment and is exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to section 15302 of the CEQA Guidelines, the project consists of the

replacement of an existing structure where the new structure will have substantially the same purpose and capacity as the structure replaced.

FINDINGS FOR APPROVAL - COASTAL DEVELOPMENT PERMIT NO. 2007-006:

1. Coastal Development Permit No. 2007-006 for the construction of an approximately 3,039 sq. ft., two-story, single-family dwelling with an approximately 638 sq. ft. attached accessory dwelling unit (second unit) conforms with the General Plan, including the Local Coastal Program land use designation of Residential Low-Density. The project is consistent with Coastal Element Land Use Policy C 1.1.1 to encourage development within, contiguous to or in close proximity to existing developed areas able to accommodate it. The proposed construction will occur on a previously developed site, contiguous to existing residential development.
2. The project is consistent with the requirements of the CZ Overlay District, the base zoning district, as well as other applicable provisions of the Municipal Code, including maximum site coverage, maximum building height, minimum yard setbacks, and minimum on-site parking.
3. At the time of occupancy the proposed development can be provided with infrastructure in a manner that is consistent with the Local Coastal Program. The proposed project will be constructed on a previously developed site in an urbanized area with all necessary services and infrastructure available, including water, sewer and roads.
4. The development conforms with the public access and public recreation policies of Chapter 3 of the California Coastal Act. The project will not impede public access or impact public views to coastal resources.

FINDINGS OF APPROVAL – ADMINISTRATIVE PERMIT NO. 2007-010:

1. The proposed project will entail the construction of 638 sq. ft., one-bedroom accessory dwelling unit (second unit) to be constructed in conjunction with the main residence on a 6,954 sq. ft. site. The proposed project will comply with the minimum 6,000 sq. ft. lot size and 650 sq. ft., one-bedroom maximum for an accessory dwelling unit (second unit) as defined within the Huntington Beach Zoning and Subdivision Ordinance (HBZSO).
2. The proposed project will comply with the provisions of the base district and other applicable provisions in Titles 20-25 of the HBZSO. The project complies with the maximum building height, maximum lot coverage, minimum on-site parking, and minimum building setbacks.
3. The proposed accessory dwelling unit (second unit) will be attached to the main residence in such a manner as to create an architecturally unified whole, not resulting in any change to the visible character of the street. The accessory dwelling unit will be located on the second floor of the main residence toward the rear portion of the property. The unit will be inaccessible from the main residence and designed so that the main entrance is hidden from public view.

**CONDITIONS OF APPROVAL – COASTAL DEVELOPMENT PERMIT NO. 2007-006;
ADMINISTRATIVE PERMIT NO. 2007-010:**

1. The site plan, floor plans, and elevations received and dated August 1, 2007 shall be the conceptually approved design.
2. Incorporating sustainable or "green" building practices into the design of the proposed structures and associated site improvements is highly encouraged. Sustainable building practices may include (but are not limited to) those recommended by the U.S. Green Building Council's Leadership in Energy and Environmental Design (LEED) Program certification (<http://www.usgbc.org/DisplayPage.aspx?CategoryID=19>) or Build It Green's Green Building Guidelines and Rating Systems (<http://www.builditgreen.org/index.cfm?fuseaction=guidelines>).

INDEMNIFICATION AND HOLD HARMLESS CONDITION:

The owner of the property which is the subject of this project and the project applicant if different from the property owner, and each of their heirs, successors and assigns, shall defend, indemnify and hold harmless the City of Huntington Beach and its agents, officers, and employees from any claim, action or proceedings, liability cost, including attorney's fees and costs against the City or its agents, officers or employees, to attack, set aside, void or annul any approval of the City, including but not limited to any approval granted by the City Council, Planning Commission, or Design Review Board concerning this project. The City shall promptly notify the applicant of any claim, action or proceeding and should cooperate fully in the defense thereof.

THE MEETING WAS ADJOURNED AT 1:45 PM BY THE ZONING ADMINISTRATOR TO THE NEXT REGULARLY SCHEDULED MEETING OF THE ZONING ADMINISTRATOR ON WEDNESDAY, SEPTEMBER 26, 2007 AT 1:30 PM.


Mary Beth Broeren
Zoning Administrator

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